

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILEDIN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISIONSeptember 13, 2024  
LAURA A. AUSTIN, CLERK  
BY: /s/T. Taylor  
DEPUTY CLERK

GREGORY ALLEN KERSEY,

Plaintiff,

v.

ROCKBRIDGE REGIONAL JAIL, )

Defendant. )

Case No. 7:24-cv-00428

**MEMORANDUM OPINION**By: Hon. Thomas T. Cullen  
United States District Judge

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Plaintiff Gregory Allen Kersey, proceeding *pro se*, filed a civil-rights action under 42 U.S.C. § 1983 naming the Rockbridge Regional Jail as the sole defendant. (*See* Compl. [ECF No. 1].) Because a jail is not a “person” subject to suit under § 1983, *see Perdue v. Penalosa*, 38 F.3d 1213, 1213 (4th Cir. 1994), the Court advised Plaintiff that his complaint failed to state a claim for relief under § 1983 against the named defendant and ordered Plaintiff to file an amended complaint correcting this deficiency. (*See* Order, July 19, 2024 [ECF No. 5].)

Plaintiff subsequently filed an amended complaint which largely restates the limited allegations in his original complaint and which, again, names the Rockbridge Regional Jail as the only defendant. (*See* Am. Compl. [ECF No. 6].) Because Plaintiff’s amended complaint did not correct the identified deficiency and still fails to state a claim under § 1983 against the named defendant, the Court will dismiss this action under 28 U.S.C. § 1915A(b)(1).

The Clerk is directed to forward a copy of this Memorandum Opinion and the accompanying Order to Plaintiff.

**ENTERED** this 13th of September, 2024.

/s/ Thomas T. Cullen  
HON. THOMAS T. CULLEN  
UNITED STATES DISTRICT JUDGE